

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

JEMONDA PEEPLES, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   ) Case No. 2:08-cv-02124-RRA  
                        )  
GARY HETZEL, et al., )  
                        )  
Defendants.         )

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on February 12, 2009, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

Done this 11<sup>th</sup> day of March 2009.

  
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L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE  
124019